

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Scott Lawrence Simmons,

Case No. 21-MC-0071 (SRN)

Plaintiff,

v.

ORDER

United States District Court, District of Minnesota, St. Paul Division; and United States District Court, District of Minnesota, Minneapolis Division,

Defendants.

Plaintiff Scott Lawrence Simmons was restricted from filing new cases in this District unless he is represented by counsel or pays the filing fee required by 28 U.S.C. § 1914 for commencing a new action. *See Simmons v. Brisbois*, No. 21-CV-0697 (SNL), Doc. No. 5 (D. Minn. Apr. 5, 2021). This matter is before the Court on Simmons's request, notwithstanding that restriction, for authorization to file a new civil action while proceeding *in forma pauperis*. *See* Doc. No. 1. Upon review, the Court concludes that the proposed civil action lacks an arguable basis either in fact or in law and therefore is frivolous. *See Coppedge v. United States*, 369 U.S. 438, 444-45 (1962); *Neitzke v. Williams*, 490 U.S. 319, 325 (1989). Accordingly, the Court denies the request for authorization and orders that this proceeding be closed. The Court also certifies that any appeal taken from this denial would not be in good faith, and thus any request to proceed

in forma pauperis on appeal will be denied on that basis. See 28 U.S.C. § 1915(a)(3); Fed. R. App. P. 24(a)(3)(A).

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: December 13, 2021

s/Susan Richard Nelson
SUSAN RICHARD NELSON
United States District Judge